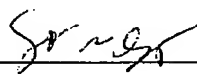


OCT 09 2007

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| NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES | | Docket Number CE12487JDP |
| I hereby certify that this correspondence is being transmitted by facsimile to "the central fax number for the USPTO, 571-273-8300" | In re Application of Eric T. Eaton | |
| | Application Number 10/742,691 | |
| | Filed December 19, 2003 | |
| | For METHOD OF OPERATING A MOBILE COMMUNICATION DEVICE AND MOBILE COMMUNICATION SYSTEM DURING AN EMERGENCY SITUATION | |
| | Art Group 2617 | |
| Signature  _____ | Examiner Mehrpour, Naghmeh | |
| Typed or printed name Scott M. Garrett _____ | | |

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a Fee Transmittal in duplicate.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any over payment to Deposit Account Number 502117. I have enclosed a Fee Transmittal in duplicate.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

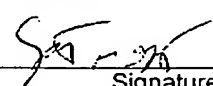
I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 39,988

☐ Attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____



 Signature

Scott Garrett

 Typed or printed name

954-723-6449

 Telephone number

October 8, 2007

 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ * Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.91. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this